

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

JACOB WAYNE BRAUNING,

Petitioner,

v.

MICHAEL BROOKS,

Respondent.

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Case No. CIV-23-598-J

**ORDER**

Petitioner, an inmate at the Seminole County Jail, filed a petition seeking habeas corpus relief under 28 U.S.C. § 2241. [Doc. No. 1]. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B), (C). [Doc. No. 3]. On July 31, 2023, Judge Mitchell issued a Report and Recommendation recommending that Petitioner's § 2241 habeas petition be dismissed without prejudice. [Doc. No. 4]. Petitioner was advised of his right to object to the Report and Recommendation by August 21, 2023. Petitioner has filed no objection and has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 4] and DISMISSES Petitioner's § 2241 habeas petition [Doc. No. 1] without prejudice.

IT IS SO ORDERED this 5<sup>th</sup> day of September, 2023.



BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE